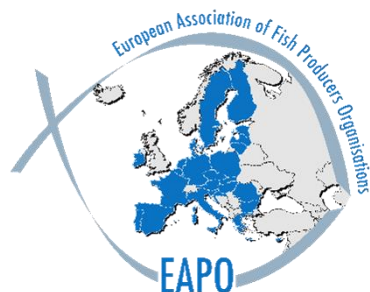


European Association of Fish Producers Organisations

Association Européenne des Organisations de Producteurs dans le secteur de la pêche



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EAPO response to the consultation in the Commission's communication (COM/2024/235) on the state of play and orientations for 2025

CFP evaluation

Following the publication of the sustainable fisheries package, the Commission had vowed to implement a series of initiatives to drive the future of EU fisheries. Among these projects, EAPO took part in the Fishers of the Future initiative, is part of the Energy Transition Partnership, has joined the STECF's Expert Working Group on sustainability indicators and is ready to work with the Commission on the Common Market Organisation project on Producer Organisations and on consumer information. EAPO specifically welcomes the decision to organise a Common Fisheries Policy evaluation for consideration by the next Commissioner with fisheries competence. We are working on comprehensive feedback to provide to the Commission call for evidence.

Overall, EAPO members would like to thank the Commission for the work put into designing the future of EU fisheries. EAPO as always is ready to fully take on its role as a EU umbrella of recognised Producer Organisations to work with the Commission.

The state of fish stocks

COM/2024/235 gives a comprehensive overview of the Commission's views for 2025 and on the progress made by EU fishers towards sustainability.

EAPO noted the Commission's definition of sustainability for fisheries: "A stock is fished sustainably at its MSY when the ratio between actual fishing mortality (F) and fishing mortality at MSY (F_{MSY}) is below or equal to one". We wish to underline that sustainability must also include social and economic indicators.

EAPO appreciates the Commission's statement overseeing a reduction in fishing mortality and an increase in stock biomass, estimated to be around 37% over the period 2003-2022. However, looking at the Commission's graphs, stocks from the Baltic, Celtic and Greater North Seas have remained stable for the past 20 years. The Commission's communication seems to link the lack of rebuilding in the North Sea exclusively to primary production.

A recently published article from Nature¹ also underlines the projected impact on the North Sea's primary production and bottom water deoxygenation of offshore wind farms. This is worrisome for North Sea fishers as the Commission has been setting targets of ORE development of 42.5% (up to 45%) for 2030. This is even more worrying when linked to the recently agreed nature restoration law, article 6: "*The planning, construction and operation of plants for the production of energy from renewable sources, their connection to the grid and the related grid itself, and storage assets shall be presumed to be in the overriding public interest.*"

We are on track to implementing anthropogenic activities whose impact is yet to be fully assessed as underlined by the European Court of Auditors², at a level never seen before. The Commission's communication brings forward the issues faced by the Baltic Sea in terms of EU legislation implementation and its impact on the state of the Baltic Sea. Including and managing all impacts on the marine environment must be done to ensure that the EU Northeast Atlantic waters do not become affected in a similar way as the Baltic Sea.

¹Offshore wind farms are projected to impact primary production and bottom water deoxygenation in the North Sea: <https://www.nature.com/articles/s43247-022-00625-0>

² Special report Offshore renewable energy in the EU Ambitious plans for growth but sustainability remains a challenge: <https://www.eca.europa.eu/en/publications?ref=SR-2023-22>

ICES advice, quality assurance and new models

ICES conservation aspects and non-fisheries conservation considerations

For the past few years, ICES has been providing advice on conservation aspects not relating to fisheries. EAPO members welcome the work done by ICES to explain the impact of other anthropogenic activities on fish stocks.

On most stocks, ICES is unable to provide an overview of these pressures and the way national legislation addresses them. Accordingly EAPO suggests that the evaluation of MSFD also takes these statements from ICES advice into account.

Finally, to fully assess the impact of human activities, there is a need to establish a baseline for comparison. Time-series data are necessary to observe changes over time and understand the impact that human activities have on ecosystems. EAPO encourages Member States and the Commission to increase data collection and perhaps seek coordination with ORE developers that collect data.

ICES Quality Assurance

EAPO highlights that despite a positive insight from the Commission on the state of the stocks, the ICES catch advice for 2025 is not completely in line with this statement due to retrospective analysis. This contributes to the mismatch between scientific data and fishers' observations. Therefore EAPO looks forward to seeing ICES's inclusion of stakeholder information in their advice.

EAPO commends all the work done by ICES to publish a yearly advice and, when needed, to benchmark their models and processes to ensure best scientific data is available. Nonetheless, EAPO insists on the need to keep improving quality assurance across ICES advice. Transparency and quality assurance are key factors in ensuring fishers' support to the advice. Last year, EAPO had underlined the lack of transparency regarding the Central Baltic Herring benchmark. We also reported the challenge of finding the Benchmark Oversight Group report on the ICES website and the explanation of how the minority statement was included by the benchmark Oversight Group.

rfb approach

ICES has been using new approaches to create TAC advice for stocks that are data-poor (category 3). EAPO finds this new method to be very conservative and considers it useful to organise a discussion between managers and ICES to define where and where not the a Precautionary Approach is actually needed.

The rfb, chr and rb rules result in TAC advice for the subsequent year by multiplying several index ratios (fishing pressure proxy, stock biomass trend...). The rules include a stability clause for when the biomass safeguard ratio is above 1. These new methods using a precautionary approach cumulate the reductions when each of the indicators is below the reference level, not considering that they are all linked and that reducing one will also benefit the other indicators. In that sense, applying the mean of the available indicators would be much more balanced. Overall, EAPO concludes that – whilst the need is understood to set up models to provide catch opportunities for EU management – when a minimum data quality threshold is not met, this tends to make the models and the catch advice irrelevant. As such, EAPO members are of the opinion that the priority should be given to improving data poor stock status from category 3 to category 1, rather than developing rules to advise on catch opportunities for data poor stocks.

Fishing opportunities and fishing capacity

EAPO welcomes the work done by the STECF and the Commission on socio-economic indicators. EAPO members and fishers have requested development of these indicators to better assess all three sustainability pillars.

Despite a rebuilding of stocks mentioned in the Commission's communication, EAPO notices an increasing number of fleet segments graded red by Member States in their yearly reports on the balance between fishing capacity and fishing opportunities. We therefore see an interest in discussing with the Commission the principles that currently are applied to determine such balance.

Vessel tonnage and capacity versus ceilings

Capacity ceilings have been a topic for discussion between the Commission and EU fishers. At different fora EU fishers have been requesting the removal of the gross tonnage ceiling to enable flexibility for more crew comfort and safety options and for switching to alternative fuels. Via their Member State some EAPO members received a response from the Commission pointing at available capacity at Member State level, based on their own

reporting. EAPO herewith kindly requests to be informed about that availability, which would be useful to prepare the above mentioned discussion on the balance and to include the need for gross tonnage as a capacity indicator.

Engine monitoring

COM/2024/235 also addresses the state of compliance of EU vessels with engine monitoring. EAPO finds it regrettable that the Commission included the following conclusion: *“The study found levels of non-compliance indicating a systematic lack of a culture of compliance at operator level across the fishing sector with regard to engine power limitations”*.

In order to take a more constructive approach, also for this topic EAPO suggests to get an opportunity to discuss with the Commission and to open a debate around the use of engine power as an indicator for fishing effort. EAPO has the view that using engine power as an indicator for fishing effort unnecessarily increases the level of monitoring and control needs in a management system where limiting TACs are set yearly in line with best available science and where numerous technical conservation measures and are set in EU regulations. EAPO sees its request to enter in discussion with the Commission on all the capacity issues in fisheries management as an important part of the upcoming evaluation of the Common Fisheries Policy.

Energy transition

The transition to more energy-efficient and sustainable fishing practices is essential for the long-term sustainability of the industry. EAPO supports the proposed measures and recommend to the Commission to facilitate access to funding and technological innovations that can assist fishers in reducing their carbon footprint and improving energy efficiency.

We look forward to the final report of the Energy Transition Partnership organised by the Commission, with a publication target at the end of this year. The documents that have been published by the Energy Transition Partnership provide EU fishers with information on the

state of play of different technologies³ and on funding opportunities⁴. These workshop reports are very useful for the sector.

Socio-economic performance: EU trends and results by fleet category

Looking at this part of the Commission's communication, EAPO notes that overall average wages in the EU amount to € 28 217, from € 9 355 in Bulgaria to € 49 035 in Luxembourg.

For fishers, the average annual wage per Full-Time Equivalent (FTE) was estimated at € 26,387, with significant variation across member states ranging from € 122 104 for Belgian fishers to € 2 289 for fishers in Cyprus. Although slightly below the EU average of €28,217, these figures highlight that wages can vary widely, contributing to the perception that fishing can be a lucrative line of work.

The socio-economic performance from 2021 was better than 2020. EAPO notes that there is a need to improve the update of data so STECF reports can be prepared using data from the year before publication. This would achieve that these STECF data can be linked with ICES data on the state of stocks providing an environmental and socio-economic overview of the state of EU fisheries.

EAPO has no comment on the results, however, we would like to ask the STECF to investigate the implementation of a new category of fleet that would encompass vessels below 12m that fish using active gears. To EAPO that fleet category is much closer to small-scale fisheries than to large-scale fleets, under which it is now taken into account.

EAPO welcomes the work done by the Commission and STECF on making transparent the functioning of each Member States' fishing sector. The STECF EWG 23-17 on Social Data in Fisheries provides a list of the different chapters that will be filled out for each National Fisheries Profiles. EAPO has no comment on the first chapters, however, chapter 5 aims to provide an overview of current trends, issues and developments (Societal trends, Trends, Constraints, Opportunities). The issue with providing current trends is ensuring they are kept up to date, meaning the profiles will need to be updated regularly. This is even more important as the profiles will be used in the Commission's decision-making process. In this respect EAPO finds that the profiles should not be considered as a replacement for

³ <https://op.europa.eu/en/publication-detail/-/publication/a8d20a8c-39eb-11ef-87a1-01aa75ed71a1/language-en/format-PDF/source-332266552>

⁴ https://blue-economy-observatory.ec.europa.eu/guide-and-tool-financing-energy-transition-fisheries-and-aquaculture_en

stakeholder engagement and/or for the important cooperation with Producer Organisations in the respective Member States.

The Landing Obligation

The Commission defines the objective of the landing obligation as an obligation to “*avoid wasting resources through discards by encouraging fishers to fish more selectively and actively avoid unwanted catches. For that purpose, it requires all catches to be landed.*”

EAPO reiterates that enforced landing of unmarketable species or species for which marketing is not allowed is an unacceptable consequence of the Landing Obligation rule. Not only the unnecessary definite removal of species, often with survival potential, from the sea is the real waste, but also sorting, storing and landing species that cannot access any market result in costs which can severely impact the entire fisheries value chain profitability.

EAPO therefore supports its members and the fishers to – whilst continuing to aim for the ultimate goal of eliminating unwanted catches – keep working towards avoidance and minimisation. Avoidance and minimisation of unwanted catches are baseline tools to achieve the objective now wrongfully assigned to a landing obligation.

Also in this respect EAPO refers its several interventions on the revised control regulation in which we find it regrettable that REM is focussed on controlling compliance with the landing obligation. Fortunately the possibility for exemptions on the landing obligation are included in the regulation. As such, EAPO welcomes the delegated regulations allowing de minimis and survivability exemptions. EAPO also appreciates the mentioning of the work done by Producer Organisations to limit choke species.

The work and role of Advisory Councils in 2023

EAPO supports the principle of, and the work done by Advisory Councils. EAPO itself and its members being active in several ACs, we frequently note however, the sentiment of lacking feedback from the Commission about the impact of AC advice on EU. EAPO therefore would find it useful for the Commission to maintain an overview of the work done by the ACs and its uptake in the preparation of EU regulations.

International governance

EAPO welcomes the work done by the Commission on “*strengthening international ocean governance framework at global, regional and bilateral levels; and on making ocean*

sustainability a reality by 2030 by taking a coordinated and complementary approach to common challenges and cumulative impacts;”

EAPO emphasises the importance of maintaining a level playing field with other fishing countries for our EU sector to thrive. This encompasses making sure that the EU’s 2030 biodiversity agenda, the EU’s IUU regulation and the EU’s approach to subsidies for fishing fleets is shared across countries with a fishery sector. The EU regulations and communications on these topics find their way into RFMO discussions, into negotiations on fisheries subsidies from the WTO and into the BBNJ and Kunming Montreal agreements.

Main messages and orientations for 2024 fishing opportunities proposals

EAPO is preparing specific position papers on the work to be done to set 2025 fishing opportunities, but we find it useful to include in this paper some headline comments.

Coastal states negotiations

For stocks shared with other Coastal States the EU should continue all efforts to stop actions towards setting unilateral TACs or towards having partial agreements that do not include the EU. Quoting our press release following the partial agreement between Norway, the UK and the Faroes: *“It (EAPO) also calls on the European Commission and the Council of the EU to take concrete action against the setting of excessive, artificially increased unilateral quotas and make use of the instruments at their disposal, such as trade measures”*.

EU-UK negotiations

Not mentioned earlier, EAPO uses this heading to address issues in the relation with the UK besides the consultation on shared fishing opportunities for 2025. Be it during such consultation or in the SCF EAPO finds that there is a need to address how the UK is trying to circumvent the TCA by increasing its share through granting access to its waters to Norwegian vessels. The additional quota being the result of unilateral increase of quotas, the UK is thus knowingly contributing to overfishing the stock. The other issue with the UK is the recent sandeel fishing ban in their waters which continues to require a tight EU follow-up in order to re-instate the important contribution to the livelihood of the value chain around these species.